Exhibit A

Approved for use through 04/30/2003, OMB 0651-0031
U.S. Palent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid QMB control number

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Substitute for form 1449/PTO

Sheet 1

Examiner

	Cor	nplete if Known	•
	Application Number	10/738,423	
	Filing Date	December 16, 2003	
	First Named Inventor	KING, et al.	
	Art Unit	1633	
	Examiner Name	Qian Janice LI	
	Attorney Docket Number	873-7-US	

U. S. PATENT DOCUMENTS Document Number Publication Date Name of Patentee or Pages, Columns, Lines, Where No MM-DD-YYYY Applicant of Cited Document Relevant Pessages or Relevant Figures Appear Number-Kind Code² (FAnoun) US- 6,962,696 1 11-08-2005 Bermudes, et al. US- 6,955,953 10-18-2005 Yamazaki, et al. US- 6,605,286 3 08-12-2003 Steidler, et al. 4 US-6,150,170 11-21-2000 Powell, et al. US- 2004-0229338 A1 5 11-18-2004 King, et al. US- 2005-0249706 A1 11-10-2005 6 Bermudes, et al. US- 11/627.743 01-26-2007 7 King, et al. US- 08/486,422 06-07-1995 Pawelek, et al. Я US- 10/723,570 9 11-24-2006 Pawelek, et al. US- 11/117.085 10 04-28-2005 Bermudes, et al. US-11/064,533 11 02-23-2005 Bermudes, et al. US- 11/082,544 03-17-2005 12 Bermudes, et al. US- 09/724,390 13 11-28-2000 Bermudes, et al. HS. US-US-US-HS. US-

	FOREIGN PATENT DOCUMENTS						
Examiner Cite Foreign Patent Document Initials* No.1		Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages			
Hillians.	NO.	Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Or Relevant Figures Appear	T ⁶	
	14	EP 0833660	12-20-2006	Yale University, et al.		\Box	
	15	EP 1012232	06-28-2000	Vion Pharmaceuticals, Inc., et al.		П	
	16	WO/1995/009655	04-13-1995	The Sovement of the United States of Assertan, et al.		П	
	17	WO/2001/025397	12-04-2001	Vion Pharmaceuticals, Inc. et al.	· ·		
	18	WO/1992/015689	09-17-1992	Charles, et al.			
	19	AU 719446	08-24-2000	Yale University, et al.			

ı	Signature	Considered
	*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Dra	aw line through citation if not in conformance and not
	considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation of	
	USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document,	by the two-letter code (WIPO Standard ST.3). * For

Date

Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST, 18 if possible, ⁵ Applicant is to place a check mark here if English language ion is attached.

Translation is required to obtain or retain a benefit by the public which is to file (and by the USFTO by process) an application. Confidentially is governed by 30 USC, 122 and 37 CFR 1.14. This coldition is estimated to late 2 hours to complete.

Translation is provided in the property of the public of TO: Commissioner for Patents, Washington, DC 20231.

Approved for use through 04/30/2003, OMB 0851-0031
U.S. Patent end Tredemark Office; U.S. DEPARTMENT OF COMMERCE

Qian Janice LI

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449/PTO Application Number 10/738,423 Filing Date December 16, 2003 INFORMATION DISCLOSURE KING, et al. First Named Inventor STATEMENT BY APPLICANT Art Unit 1633 (Use as many sheets as necessary)

Examiner Name

Attorney Docket Number 873-Z-US Sheet 2 of 11 U. S. PATENT DOCUMENTS
Publication Date Name of Patentee or Applicant of Cited Documents Pages, Columns, Lines, Where Document Number Applicant of Cited Document Relevant Passages or Relevant Figures Appear No Number-Kind Code^{2 (Finance)} TIS. US-115. US-US-US-US-US-US-US-US-US-US-

		FORE	IGN PATENT DOCU	MENTS		
Examiner Initials*			Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	Г
			MM-DD-YYYY			T ₆
	20	AU 783714	03-23-2006	VION Pharmaceuticals, Inc., et al.		
	21	AU 749695	07-04-2002	VION Pharmaceuticals, Inc. et al.		
	22	CN ZL96196140.6	02-18-2004	Yale University, et al.		Е
	23	CN ZL98811030.X	04-26-2006	VION Pharmaceuticals, Inc. et al.	Ŷ	Г
	24	HK 1017253	07-30-2004	Yale University, et al.		С
	25	HK 1033956	11-17-2006	VION Pharmaceuticals		Т

US-

Signa		Considered	
	INER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Dra red. Include copy of this form with next communication to applicant. 1 Applicant's unique citation		
	in Patent Documents of wassured one or MPEP 901 M S Enter Office that issued the document		

Con I/O ratent Decuments at <a href="https://www.usbraughy.com/write-burled-length-len Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1,98. The information is required to obtain or retain a benefit by the public which is to file (and by the report to constitution and relative control of the TO: Commissioner for Patents, Washington, DC 20231.

Approved for use through 04/30/2003. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trabemark Office; U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trabemark Office; U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trabemark Office; U.S. DEPARTMENT OF COMMERCE
Substitute for form 1449/PTO
Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)
of 11

Sheet 3

Co	npiete ii Known	
Application Number	10/738,423	
Filing Date	December 16, 2003	
First Named Inventor	KING, et al.	
Art Unit	1633	
Examiner Name	Qian Janice Lt	
Attorney Docket Number	873-7-US	

			U. S. PATENT D	DCUMENTS	
Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (Fincing)			Figures Appear
		US-			
	\vdash	US-			
		US-	-		
		US-	1 1		
		US-			
	_	US-			
		US-	1		
		US-			
		US-	T .		
		US-	1		-
		US-	 		
		US-	 		
	-	US-			
		US-	 		
	\vdash	IIS-	_		1

	FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Refevant Passages		
		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T ⁶	
	26	JP 3482213	10-10-2003	Yale University, et al.			
	27	KR 0435932	06-03-2004	Yale University, et al.			
	28	NZ 312341	09-08-1999	Yale University, et al.	****		
	29	NZ 503376	10-25-2002	VION Pharmaceuticals, Inc., et al.			
	30	NZ 518354	02-25-2002	VION Pharmaceuticals, Inc., et al.			
	31	SG 51176	12-07-1998	Yale University, et al.			

Examiner	Date	Į.
Signature	Considered	

Intendation is attached.

This collection of intermation is required by 37 CFR 197 and 1.99. The information is required to obtain or retain a benefit by the public which is to file (and by the USFTO is process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.4. This collection is estimated to take 2 hours to complete, metalling generality, presenting, and confidentially present in the confidential process of the confiden

Approved for use through 04/30/2003, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to re-	spond to a collection of inform	ation unless it contains a valid OMB control number			
Substitute for form 1449/PTO	Complete if Known				
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	Application Number	10/738,423			
	Filing Date	December 16, 2003			
	First Named Inventor	KING, et al.			
	Art Unit	1633			
	Examiner Name	Qian Janice LI			

Attorney Docket Number 873-Z-US Sheet 4 of 11 U. S. PATENT DOCUMENTS
Publication Data Name Name of Patentee or Pages, Columns, Lines, Where Document Number MM-DD-YYYY Applicant of Cited Document Relevant Passages or Relevant No Figures Appear Number-Kind Code^{2 (FARCHR)} US-US-115. US-ÜS-US-US-US-US-US-US US-US-US-US-US-

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite Foreign Patent Document Pu	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	Γ.	
		Country Code ³ "Number ⁴ "Kind Code ⁵ (# known)	MM-DD-YYYY		Or Relevant Figures Appear	T°
-	32	SG 71486	04-30-2004	VION Pharmaceuticals, Inc., et al.		
	33	ZA 98/8289	05-26-1999	VION Pharmaceuticals, Inc., et al.		
	34	EP 1261369	12-04-2002	Vion Pharmaceuticals, Inc., et al.		L
	35	BR 9609016-2	06-05-1996	Yale University, et al.		匚
	36	BR 9812079-4	03-10-2000	VION Pharmaceuticals, Inc., et al.		
	37	BR 0014491-6	04-04-2002	VION Pharmaceuticals.		Г

1	Examiner Signature	Data Considered	
	Orginataro	00110100	1

US-

*EXAMINET: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in centormance and not considered, include copy of this form with next communication by supplicant. *Applicant* unique diation designation number (policions).* See Kinds Color and Applicant in Applicant is unique diation designation number (policions). *See Kinds Color and Applicant in Applicant in Applicant in the Color and Applicant in Applicant i

Translation is attached.

This codection of identification is required by 37 CFR 1,97 and 199. The information is required to obtain or relate a bonetic by fine public which is to fine (and by the USFTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1,14. This collection is estimated to take 2 hours to complete, but the confidential to take 2 hours to complete, but the confidential to t

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Qian Janice LI

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of Information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449/PTO Application Number 10/738,423 Filing Date December 16, 2003 INFORMATION DISCLOSURE First Named Inventor KING, et al. STATEMENT BY APPLICANT Art Unit 1633

(Use as many sheets as necessary)

of 11

Sheet 5

Attorney Docket Number 873-Z-US

Examiner Name

Examiner Initials*	Cite No.1	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where	
Initialis"	No.	Number-Kind Code ² (Fanceor)	MM-DD-YYYY	Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevan Figures Appear	
		US-				
		US-				
		US-				
		US-				
		US-			·	
		US-				
		US-				
		US-	<u> </u>	***		
	-	US-				
		US-				
		US+				
		US-				
		US-				
		US-				
		US-	-			
		US-	1			
	-	U\$-	 			
	_	US-	 			
		US-	1			

		FÖREIGN	I PATENT DOCU			
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ -Number ⁴ -Kind Code ⁵ (# known)	MM-DD-YYYY		Or Relevant Figures Appear	Te
	38	CA 2,224,075	12-08-1997	Yale University, et al.		
	39	CA 2,302,866	03-03-2000	VION Pharmaceuticals, Inc., et al.		
	40	CA 2,386,465	04-02-2002	VION Pharmaceuticals, Inc., et al.		
	41	CN 00816714.1	08-24-2000	VION Pharmaceuticals, Inc., et al.		
	42	HK 03108220.2	11-12-2003	VION Pharmaceuticals, Inc., et al.		
	43	IL 134936	07-03-2000	VION Pharmaceuticals.		

Signature	Considered		
"EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. E	Draw line through	citation if not in	conformance and no
considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation	n designation nur	nber (optional).	See Kinds Codes of
USPTO Patent Documents at www.uspto.gov.or.MPEP 901.04. 3 Enter Office that issued the document	t, by the two-lett	er code (WIPO :	Standard ST 3) 4 Fc

Japanese patent documents, in indication of the year of the region of the Emperor must preced the serial number of the patent document. Kind of documents, but when the patent document is find of documents, but when the patent document is find of documents in the patent document. When the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the INSPITED to process an amplication are confidentially in general day 16 USC. So a residued to 16 USC to 16 TO: Commissioner for Patents, Washington, DC 20231.

Approved for use through 04/30/2003, CMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Substitute for form 1449/PTO

Sheet 6

(Use as many sheets as necessary) of 11

Complete if Known Application Number 10/738.423 Filing Date December 16, 2003 First Named Inventor KING, et al. Art I Init 1633 Qian Janice LI Attorney Docket Number 873-Z-US

U. S. PATENT DOCUMENTS Publication Dete MM-DD-YYYY Document Number Name of Patentee or Pages, Columns, Lines, Where Initials No. Relevent Pesseges or Relevant Figures Appear Applicant of Cited Document Number-Kind Code² (*Anown) US-US. US-US-US-US-US-US-US-US-115-US-US-US-ÚS-

		FORE	IGN PATENT DOCK	JMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date		Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T°
	44	IL 148933	03-27-2002	VION Pharmaceuticals, Inc., et al.		
	45	JP 2000-510842	03-10-2000	VION Pharmaceuticals, Inc., et al.		
		JP 2001-528552	04-04-2002	VION Pharmaceuticals, Inc., et al.		Г
	47	KR 7002535/2000	03-10-2000	VION Pharmaceuticals, Inc., et al.		Г
	48	KR 7004371/2002	04-04-2002	VION Pharmaceuticals, Inc., et al		Г
	49	MX 979439	12-03-1997	Yale University, et al.		_

U	Signeture						Considered		
	'EXAMINER:	Initial if reference cons	idered, whether or no	t citation is in co	oformance with	MPEP 609. D	raw line through o	tation if not in_conform	ance and not
		clude copy of this form							
	USPTO Pate	nt Documents at www.u	isoto.gov or MPEP 9	01.04. * Enter O	ffice that issued	the document	t. by the two-letter	code (WIPO Standari	(ST 3) 4 For

Japanese patient documents, the indication of the year of the reign of the Emperor must precede the serial native of the patient document. Sind of document by the appropriate symbols as indicated on the document under WiPO Standard ST. 16 if processible. Applicant is to place a check mark here if English language Translation is attached.

Transaction is naturalized. This collection of information is required to obtain or retain a benefit by the public which is to fite (and by the USPTO to process) an application. Certificentiality is governed by 35 USC. 122 and 37 CPR 1.4. This collection is estimated to task 22 hours to complete, including application, preparing, and sumfitting the completed application from the USPTO. The will vary depending upon the includinal case, and controlled the under the process of the amount of time you require to complete this from and/or suggestions for retaining to use the under the under the process of TO: Commissioner for Patents, Washington, DC 20231.

Approved for use through 04/30/2003. OMB 0651-0031

873-7-US

U.S. Patant and Tradamark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449/PTO Application Number 10/738,423 Filing Date December 16, 2003 INFORMATION DISCLOSURE First Named Inventor KING, et al. STATEMENT BY APPLICANT Art Unit 1633 Examiner Name Qian Janice LI

Attorney Docket Number

(Use as many sheets as necessary)

Sheet 7 of 11

Examiner	Cita No.	Document Number	U. S. PATENT D Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
nitials*	No.	Number-Kind Code ^{2 (f Acose)}	MM-DD-YYYY	Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Ralevan Figures Appear
		US-	1 1	······································	
	-	US-			
		US-			
		US-			
_		UŞ-	 		
		US-			-
		US-			
		US-			
		US-			
		U\$-			
		US-			-
		US-			
		US-			
		US-		•	
		US-			
		US-			

			IGN PATENT DOCL	JMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Rejevant Passages	
		Country Code ³ "Number ⁴ " Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	Te
	50	MX 2000-002355	03-08-2000	VION Pharmaceuticals, Inc., et al.		
	51	MX 2002-003384	04-03-2002	VION Pharmaceuticals, Inc., et al.		
	52	SG 2002-01817-4	04-01-2002	VION Pharmaceuticals, Inc., et al.		Г
	83	JP 62-145026	06-29-1987	Advance KK		
	84	JP 06-298657	10-25-1994	Nippon Shoji KK		
	85	JP 01-180830	07-18-1989	Kayaku KK		

	1110		
Examiner		Date	
Signature		Considered	
		Continuation	

"EXAMINE": Initial if reference considered, whether or not claison is in conformance with MEPS 608. Draw line though claims of not in conformance and not considered finishing to cryol draw in the property of the property o Translation is attached

Translations in attorhoid.
Translations in attorhoid.
Translations in attorhoid.
Translations in attorhoid.
Translations are the production of the productio TO: Commissioner for Patents, Washington, DC 20231.

Approved for use through 04/30/2003, OMB 0851-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number Complete if Known Substitute for form 1449/PTO Application Number 10/738.423 Filing Date December 16, 2003 INFORMATION DISCLOSURE First Named Inventor KING, et al.

STATEMENT BY APPLICANT Art Unit 1633 (Use as many sheets as necessary) Examiner Name Qian Janice LI Sheet 8 Attorney Docket Number 873-7-US of 11

	1 40		U. S. PATENT D	UCOMEN IS	
Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	-	Number-Kind Code ² (FAnoun) US-			1 igaico ripposi
	l				
		US-	1		
		US-		0)	
		US-			
		US-			
		US-			
		US-	1		
		US-			+

		FOREIGN	PATENT DOC	IMENTS	····	
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	Γ
	1	Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY	"		T ⁶
	86	JP 63-101328	05-06-1988	Shionogi & Co.		
						┖
	_			ļ		┡
	-		-			_

Signature		Considered	
FXAMINER	initial if reference considered, whether or not citation is in conformance with MPEP 609. Dra	w line through	citation if not io a

"EXAMINE": Initial If inference considered, whether or not citation is in conformance with MPEP 6/8. Draw line through citation if not nonformance and not confidence included induce copy of this form with next communication to applicant." Applicant's unique citation designation number (optional). "See Kinds Codes of USPTO Patient Documents at <u>www.usefs.org</u> or MPEP 9/01.64. "Enter Office that issued the document, by the two-letter occity (MPC) Standard ST.3.", "For Apparese patient document, by the function of the patient document." Which of document upon the patient is seen to the patient document. "Which of document upon the appropriate symbols as indicated on the document under WPC Distandard ST. if it possible." "Applicant is to place a choice mark term of English language." Translation is attached

Transitions is attached.

Transitions in attached.

Transition is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USFPO to process) an application. Confidentiality is governed by 33 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to task of two to complete, the confidence of the confi TO: Commissioner for Patents, Washington, DC 20231.

PTO/SB/08B (02-03)

Approved for use through 0430/2003. OMB 6651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of Information unbesit to contains a under Identification. Complete if Known Substitute for form 1449/PTO Application Number 10/738.423 INFORMATION DISCLOSURE Filing Date December 16, 2003 STATEMENT BY APPLICANT First Named Inventor KING, et al. Art Unit 1633 (Use as many sheets as necessary) Examiner Name Qian Janice Li Attorney Docket Number Sheet 9 873-Z-US of 11

		OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	53	Brazilian Examiner's Report for Yale University, Brazilian App'l No. PI-9609016-2, filed June 5, 1996, Dated July 18, 2006	
	54	Mexican Search Report for Yale University, Mexican App'l No. 979439, Filed December 3, 1997, Dated June 29, 2007	
	55	Israeli Office Action for Yale University, et al., Israeli App'l No. 134936, Filed July 3, 2000, Dated April 11, 2007	
	56	U.S. Office Action for Bermudes, et al., U.S. Serial No. 11/064,533, Filed February 23, 2005, Dated March 12, 2007	
	57	Bell, et al., 1990, "Molecular genetic analysis of an FNR-dependent anaerobically inducible Escherichia coli promoter," Molec. Microbiol. 4:1753-63	
	58	Clarke, S., 2001, "Diarrhoeagenic Escherichia coli – an emerging problem?" Diagnostic Microbiol. and Infect. Disease 41:93-98	
	59	Cunningham, C. and Nemunaitis, J., 2001, "Recombinant DNA advisory committee meeting, June 14-15, 2001: Protocols reviewed," Human Gene Therapy 12:1594-1596	
	60	Deonarain, et al., 1995, "Genetic delivery of enzymes for cancer therapy," Gene Therapy, Vol. 2, No. 4:235-244	
	61	Dinarello, et al., 1991, "Blocking IL-1:Interleukin-1 receptor antagonist in vivo and in vitro," Immunology Today 12(11):404-410	
	62	Fairweather, et al., 1990, "Use of live attenuated bacteria to stimulate immunity," Res. Microbiol. 141:769-773	

Examiner	Date	
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

consistency. Include Copy or the form with next communication to application. It applicant is under continuous control and produced in the control of the co Commissioner for Patents, Washington, DC 20231.

Approved for use through 04/30/2003. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

	te for form 1449/PTO	uction A	ot of 1995, no persons at	re required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known		
Cubbinu	NOTO TOMIN 1440/110			Application Number	10/738,423	
INF	ORMATION	DIS	CLOSURE	Filing Date	December 16, 2003	
STA	TEMENT E	SY A	PPLICANT	First Named Inventor	KING, et al.	
	(Use as many she	afe se r	necessard	Art Unit	1633	
	(see as many sme		eccosury)	Examiner Name	Qian Janice Li	
Sheet	10	of	11	Attorney Docket Number	873-Z-US	

		OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.1	lnclude name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issu: number(s), publisher, city and/or country where published.			
	63	Fairweather, et al., 1990, "Oral vaccination of mice against tetanus by use of a live attenuated Salmonella carrier," Infect Immunity, 58:1323-26			
	64	Galanos, et al., 1969, "A new method for the extraction of R. lipopolysaccharides," European J. Biochem. 9:245-249			
	65	Huber, et al., 1994, "Metabolism of 5-fluorocytosine to 5-fluorouracii in human colorectal tumor cells transduced with the cytosine dearnithase gene: Significant artitumor effects when only a small percentage of tumor cells express cytosine dearninase," Proc. Natl. Acad. Sci. USA 91:3302-3306			
	66	Jain, et al., 2001, "Use of bacteria as anticancer agents," Exp. Opin. Biol. Ther. 1(2):291-300			
	67	Jayaraman, et al., 1988, "The nirB promoter of Escherischia coli: Location of nucleotide sequences essential for regulation by oxygen, the FNR protein and nitrite," Molec. Microbiol. 2:527-530			
	68	Littler, et al., 1992, "Human cytomegalovirus UL97 open reading frame encodes a protein that phosphorylates the antiviral nucleoside analogue gancidovir," Nature 358:160-162			
	69	Low, et al., 1996, "Disruption of the Salmonella msbB gene suppresses virulence and TNFaipha induction yet retains tumor-targeting in vivo," Proceedings of the American Association for Cancer Research Annual Meeting 3960, XP001182904			
	70	Morrison, et al., 1994, "Current status of bacterial endotoxins," ASM News 60:479-484			
	71	Nemunaitis, et al., 2003, "Pilot trial of genetically modified, attenuated Salmonella expressing the E. coli cytosine deaminase gene in refractory cancer patients," Cancer Gene Ther. 10:737-44			
	72	Pawelek, et al., 1997, "Turnor-targeted Salmonella as a novel anti-Melanoma vector," Melanoma Research, 4th World Conference on Melanoma, Sydney, Australia, June 10-14, 1997, Vol. 7 (Suppl. 1)			

Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

^{*}EXAMINET: Initial if inforence considered, whether or not classion is in conformance with MEPP 698. Draw line through classion if not in conformance and not considered, included copy of this form with met communication to applicant.

1 Applicant's unique classification designation number (redorina). 2-Applicant is to place a check mark here if English language Translation is attached.

1 Applicant's unique classification designation number (redorina). 2-Applicant is to place a check mark here if English language Translation is attached. The properties of the control of

PTO/SB/08B (02-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Ur	der the Paperwork Red	uction A	at of 1995, no persons ar		of information unless it contains a valid OMB control number.
Substitu	ate for form 1449/PTO				Complete if Known
				Application Number	10/738,423
			CLOSURE	Filing Date	December 16, 2003
STA	TEMENT E	Y A	PPLICANT	First Named Inventor	KING, et al.
	(Use as many she	ets as n	ecessary)	Art Unit	1633
	(acc ac many one			Examiner Name	Qian Janice LI
Sheet	11	of	11	Attorney Docket Number	873-Z-US

		OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, original/or country where published.			
	73	Yu, et al., 2004, "Visualization of tumors and metastases in live animals with bacteria and vaccinia virus encoding light-emitting proteins," Nat. Biotechnol. 2004, Mar;22(3):313-20			
	74	Sullivan, et al., 1992, "A protein kinase homologue controls phosphorylation of ganciclovir in human cytomegalovirus-infected cells," Nature 358:162-164			
	75	U.S. Office Action for Bermudes et al., U.S. Serial No. 11/064,533, (Atty. Dkt. #871-BAA-US) Filed February 23, 2005, dated October 3, 2006			
	76	U.S. Office Action for Bermudes et al., U.S. Serial No. 11/064,533, (Atty. Dkt. #871-BAA-US) Filed February 23, 2005, dated May 4, 2007			
	77	Notice of Allowance and Fee(s) Due for Bermudes et al., U.S. Serial No. 11/064,533, (Atty. Dkt. #871-BAA-US) Filed February 23, 2005, dated August 1, 2007	- 17		
	78	U.S. Office Action for Bermudes et al., U.S. Serial No. 11/117,085 (Atty. Dkt. #871-AZB-US) Filed April 28, 2005, dated July 5, 2007			
	79	Vion Pharmaceuticals, Inc., et al., European Application No. 98 94 6891, September 9, 1998, "Genetically Modified Tumor-Targeted Bacteria with Reduced Virulence"			
	80	European Communication for VION Pharmaceuticals, Inc., European App1 No. 98946891.3 (Atty. Dkt. #871-AB-PCT-EPO), Filed September 9, 1998, Dated April 10, 2007			
	81	European Communication for VION Pharmaceuticals, Inc., European App'l No. 00 957 764.4 (Atty. Dkt. #873-PCT-EPO), Filed May 3, 2002, Dated October 26, 2006			
	82	International Publication No. WO/1998/053854, March 12, 1998, The Research Foundation of State University of New York, et al., "Antigen Delivery System"			

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

^{**}EXAMENCE** (Initial 8 Reference contendence, whether of red Calasion is nondemenses with Mer2+ GIM. Draw line through catalon in on conformance and and **Lapplicant** (single calation designation unservice conformation and experience of the catalogue of the c Commissioner for Patents, Washington, DC 20231.